

## EXPORTER RETURN & CLAIM FOR REFUND (PET 377)

- **IMPORTANT: YOU MUST CHECK THE REFUND BLOCK ON THE FRONT OF THE EXPORTER FORM IF YOU ARE REQUESTING A REFUND.**
- The name and address, account number, and FEIN or SSN must be the same as shown on the Exporter License.
- The Exporter Report is filed monthly and is due on or before the 20th of each month following the month of activity. A Claim for Refund must be filed within three (3) years from December 31st of the year when the shipment was exported for resale.
- **RAILROADS, AIRLINES, or MARINE:** Claims for use outside Tennessee by railroads, airlines, and marine vessels must be submitted within ninety (90) days of the last day of the month of activity. Any entry on Lines 1, 2, or 4 must be supported by a special schedule. (See special instructions below)

### **RETURN INSTRUCTIONS:**

Columns are provided for separation of types of petroleum products.

Diverted shipments, including removals from Tennessee bulk plants, will be reported on Line 3 ("Diversions into TN") and Line 5 ("Diversions from TN"). Separate schedules for each type of diversion should be totaled and either added to the tax due (Line 3) or added to the refund due (Line 5). (Also see instructions for Line 3 and Line 5.)

### **LINE INSTRUCTIONS:**

- Line 1. Destination state tax paid gallons (net of diversions).** (EXPORTER SCHEDULE) Enter the number of gallons actually delivered outside Tennessee on which the destination state taxes, but not Tennessee taxes, were paid or which were accrued to the terminal vendor at the time of removal from the terminal. Tennessee Export Tax should have been paid on this product at the time of purchase.
- Line 2. Tax free gallons.** (EXPORTER SCHEDULE) Enter number of gallons exported free of all states' taxes. These gallons will be free of Tennessee taxes and fees except Export Tax.
- Line 3. Diversions into TN.** (DIVERSION SCHEDULE) Enter number of gallons intended as deliveries to destinations outside Tennessee, but diverted to destinations in Tennessee. Tennessee taxes and fees are due and payable with this form on product diverted into Tennessee. Amounts are calculated in Tax Column B.

NOTE: For Suppliers and Bonded Importers: Shipments with initial origin and destination outside Tennessee, and later diverted to a Tennessee destination, will NOT be reported on the Exporter Return/Refund.

- Line 4. TN tax paid gallons.** (EXPORTER SCHEDULE) Enter number of gallons received with Tennessee taxes paid and then exported.
- Line 5. Diversions from TN.** (DIVERSION SCHEDULE) Enter number of gallons intended as deliveries in Tennessee, but diverted to a destination outside Tennessee. Tennessee taxes and fees are refundable on this form on product diverted from Tennessee. Amounts are calculated in Refund Column A.
- Line 6. Total gallons exported.** Total of Line 4 and Line 5 for each Column (A through G). These totals may be carried forward to Refund Column A as required.

### **REFUND/TAX CALCULATION**

- Refund Column A is provided to calculate refund amounts on total gallons exported.  
Tax Column B is provided to report tax due on diversions into Tennessee.
- If the tax amount due from Tax Col. B, Line 11, is greater than the refund total from Col. A, Line 11, then the tax amount, less credits due, plus any penalty and/or interest due (Line 13 and/or Line 14) would be added, and the amount shown in Line 15 as the Total Remittance Amount.
- If the refund amount due from Refund Col. A, Line 11, is greater than the tax amount due from Col. B, Line 11, then the overpayment amount (or refund due), plus credits due, less any penalty and/or interest due (Line 13 and/or Line 14) would be added, and the amount shown on Line 16 as the Overpayment.

### **LINE INSTRUCTIONS:**

**If a refund is due on certain gallons, the amount will be entered in Refund Column A.**

**If the tax is due on certain gallons, the amount will be entered in Tax Column B.**

- Line 7. Gasoline Tax. (Refund: from Line 6-A) and/or (Tax due: from Line 3-A)** Gallons of Tennessee gasoline tax paid gasoline exported (refund due) (Line 1-A), less diversions into Tennessee (tax due) (Line 3-A), plus diversions out of state from Tennessee destinations (refund due) (Line 5-A). Gallons are multiplied by the given rate to calculate either the Gasoline Tax refund amount or the Gasoline Tax due amount.
- Line 8. Diesel Tax. (Refund: from Line 6-C) and/or (Tax due: from Line 3-C)** Gallons of Tennessee diesel tax paid undyed diesel exported (refund due) (Line 1-C), less diversions into Tennessee (tax due) (Line 3-C), plus diversions out of state from Tennessee destinations (Line 5-C). Gallons are multiplied by the given rate to calculate either the diesel tax refund amount or the diesel tax due amount.

**Line 9. Special Tax. (All products) (Refund: from Line 6-G) (Tax due: from Line 3-G)**

**Refund Column A:** Total gallons exported (refund due) (Line 6-G) are multiplied by the rate given.

**Tax Column B:** Total gallons diverted into Tennessee (tax due) (Line 3-G) are multiplied by the rate given.

**Note:** The rate provided for special tax will reflect the reduction for export tax.

**Line 10. Environmental Assurance Fee. (All products) (Refund: from Line 6-G) (Tax due: from Line 3-G)**

**Refund Column A:** Total gallons exported (refund due) (Line 6-G) are multiplied by the rate given.

**Tax Column B:** Total gallons diverted into Tennessee (tax due) (Line 6-G) are multiplied by the rate given.

**Line 11. Net Totals.** For each column, add Lines 7, 8, 9, 10. The total on Line 11, Refund Column A, is the refund amount due. The total on Line 11, Tax Column B, is the tax amount due.

**Line 13. Penalty.** If this return/refund is filed late, a \$15.00 minimum penalty is due regardless of the amount of tax due, or whether there is any tax due. Calculate this line according to line instructions on the front of the form.

**Line 14. Interest.** If this return/refund is filed late, there is no interest due unless the net of the Tax and Refund from Line 11 indicates taxes due. Calculate this line according to line instructions on the front of the form.

**Line 15. Total Remittance Amount.** Total of Line 11, Tax Col. B, plus Line 13 (Penalty), plus Line 14 (Interest), and, if applicable, subtract Line 12 (Credits) and Line 11, Refund Col. A

**Line 16. Overpayment.** If the total from Line 11, Refund Col. A is more than the total from Line 11, Tax Col. B, then a refund may be due on this return. Add this amount to credits due from Line 12 to obtain a total overpayment. Total of Line 11, Refund Col. A and Line 12 (Credits) Then, if applicable, subtract Line 11, Tax Col. B and Line 13 (Penalty). (If the refund amount is greater than the tax amount, there would be no interest calculation.)

## **SCHEDULE INSTRUCTIONS**

### **EXPORTER SCHEDULE - BULK EXPORTS**

Export shipments are itemized on this schedule in support of lines 1, 2, and 4 of the Exporter Return and Claim for Refund. Complete the top of the schedule showing exporter name, account number, tax month and year, destination state, product type, and report line the schedule is supporting. The Total Gallons for each schedule should be carried forward to the specific line and column indicated at the top of the page.

### **EXPORTER SCHEDULE - RAILROADS/AIRLINES/MARINE TOWS ONLY**

A refund of TN taxes may be requested for diesel fuel exported in the fuel supply tanks of diesel locomotives or marine tows, where such is consumed outside Tennessee. The user may apply for a refund of previously paid Special Tax and Environmental Assurance Fee, less the Export Tax due. Time limitations described above will apply.

A refund of TN taxes may be requested for aviation fuels which are stored in this state, but carried outside Tennessee for consumption in the fuel supply tanks of airplanes owned or leased by commercial air carriers. The commercial air carrier may apply for a refund of previously paid Special Tax and Environmental Assurance Fee, less the Export Tax due. Time limitations described above will apply.

Railroads, airlines, and marine vessels use this schedule to support and detail the entries on the Exporter Return and Claim for Refund. Complete the top of the schedule by providing the Exporter Name, Account No., and Tax Month and Year. Select one Schedule Type to support a specific line on the Exporter Return/Refund and one Product Type of fuel exported per schedule.

The Fuel Operations section reflects Tennessee bulk storage analysis: beginning inventory amount, purchases during the month, fuel added to storage from internal sources, the amount of fuel used in Tennessee, fuel used outside Tennessee (the export refund basis), and ending inventory quantity. The supporting schedule demonstrates the computation of Tennessee use.

### **Schedule of State Diversion Corrections Diversions**

A shipment of petroleum products may be diverted from the destination stated on the original shipping paper where the shipping paper is incorrect or where there is a legitimate business need to divert the shipment. **Prior to any diversions change to the shipping paper, the shipper, the transporter or an agent of either, shall notify the Department of Revenue or its designee and shall manually add the assigned verification number to the shipping paper.**

### **Schedule (PET 378)**

This schedule is used to detail the gallons diverted to a new destination state and supports entries on Line 3 and Line 5 of the Exporter Tax Return. Prepare separate schedules to support each of the return lines. Complete a separate schedule for diverted products from in-state terminals or for diverted imports from out-of-state terminals. Also separate schedules by product type. Include diverted gallons received from an in-state terminal and diverted gallons imported into Tennessee from out-of-state terminals. Mode codes are given on the front of the schedule.

Complete all columns on the schedule. The **Original Destination State** should be entered as shown on the original shipping papers. List the **Revised Destination State** referenced in the diversion notification. The **Document Number** will be pipeline reference number, barge numbers, bill of lading and/or invoices numbers as shown on the original shipping papers. **Diversion Number is the verification number assigned at the time of the diversion notification.**